

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JULIAN HEICKLEN,	:	10 Civ. 2239 (RJH)(JLC)
	:	
Plaintiff,	:	
	:	
-against-	:	<u>ORDER</u>
	:	
U.S. DEP'T OF HOMELAND SEC., et al.,	:	
	:	
Defendants.	:	
-----X	:	

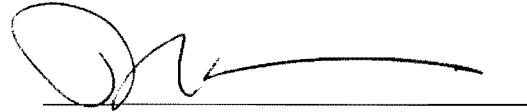
On August 30, 2011, Magistrate Judge James Cott issued a Report and Recommendation ("Report") recommending that the Court dismiss plaintiff's case in full. The parties were to file objections to the Report by September 16, 2011. To date, the Court has received no such objections. The district court adopts a Magistrate Judge's report and recommendation when no clear error appears on the face of the record. *See Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). However, the court is required to make a *de novo* determination of those portions of a report to which specific objection is made, 28 U.S.C. § 636(b)(1)(C), by reviewing "the Report, the record, applicable legal authorities, along with Plaintiff's and Defendant's objections and replies." *Badhan v. Lab. Corp. of Am.*, 234 F. Supp. 2d 313, 316 (S.D.N.Y. 2002). The court may then accept, reject, or modify in whole or in part recommendations of the Magistrate Judge. *See Nelson*, 618 F. Supp. at 1189.

Because petitioner has not filed any objections to the Report, the Court reviews for clear error. Having carefully considered Magistrate Judge Cott's thorough and clear

Report and finding no error, the Court adopts the Report in its entirety. The Clerk is directed to close this case.

SO ORDERED.

Dated: New York, New York
September 23 2011

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line extending to the right.

Richard J. Holwell
United States District Judge